

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 4:19-CV-10520-TSH

CHARU DESAI,
Plaintiff,

v.

UMASS MEMORIAL MEDICAL
CENTER, et al.
Defendants.

**DEFENDANTS' PROPOSED VOIR
DIRE**

Defendants, UMass Memorial Medical Group, Inc., and Max Rosen, M.D., hereby propose the following supplemental questions to be asked during voir dire:

1. Have any of you ever managed or supervised others as part of your job?
2. Have any of you, or anyone close to you, ever worked in the healthcare field?
 - a. If so, where and in what capacity?
3. Do any of you believe that a hospital should be limited in its right to take steps to ensure patient safety?
 - a. If so, how should it be limited?
4. Have any of you or a close relative or friend of yours received healthcare services from UMass Memorial Medical Center or the UMass Memorial Healthcare System?
 - a. If so, were you pleased with the healthcare services provided?
5. Have any of you or a close relative or friend of yours ever worked for UMass Memorial Healthcare System or one of its member hospitals, or have you ever provided services to UMass Memorial Health?
 - a. If so, in what capacity?

6. Have any of you or a close relative or friend of yours ever had a bad experience with UMass Memorial Medical Center or any other hospital within the UMass Memorial Healthcare System?
 - a. If so, please describe.
7. Have any of you retired from the workforce?
 - a. If so, when?
 - b. Did you retire based on your desires as to timing or were you required to retire earlier than you wanted?
8. Have any of you ever felt that you faced discrimination in the workplace based on your age?
 - a. If so, please describe.
9. Has anyone close to you ever complained that they felt that were forced out of their job based on age?
10. Have any of you ever felt that you faced discrimination in the workplace based on handicap or disability, or based on a medical condition?
 - a. If so, please describe.
11. Have any of you ever felt that you faced discrimination in the workplace based on your gender?
 - a. If so, please describe.
12. Have you, or has someone close to you, ever had such a bad experience with an employer that it made you or them want to leave the company?
13. Do any of you have experience or training in Radiology, Human Resources, Quality Assurance, or Patient Safety?

- a. If so, please describe.
14. Have any of you worked in or had training in the legal field?
- a. If so, please describe.
15. Have any of you, or has someone close to you, ever filed a complaint of discrimination with the Massachusetts Commission Against Discrimination (MCAD), the Equal Employment Opportunity Commission (EEOC), or a court?
- a. If so, for what?
16. Have any of you, or has someone close to you, ever been involved in an employment dispute with an employer?
- a. If so, for what?
17. Have any of you ever quit a job because you thought you were treated unfairly?
- a. If so, please describe.
18. Have any of you, or has anyone close to you, considered filing a lawsuit against an employer but chosen not to?
- a. If so, please describe.
19. Do you have any opinions, attitudes or beliefs, either positive or negative, about the healthcare field?
- a. If so, please describe.
20. Have any of you, or anyone close to you, ever been accused of discrimination, harassment or retaliation of any type?
- a. If so, for what?
21. Have any of you, or anyone close to you, ever been sued?
- a. If so, for what?

22. Have any of you, or anyone close to you, ever filed a lawsuit?

a. If so, for what?

23. Have any of you, or anyone close to you, ever been charged with or convicted of a crime?

a. If so, for what?

24. Have any of you ever testified at deposition or in a court proceeding?

a. If so, for what (what was the case about and how were you involved)?

25. Do any of you have any moral, religious, or philosophical beliefs that would make it uncomfortable or difficult for you to judge another person?

26. Do any of you believe it is unfair to place the burden of proof on the plaintiff?

27. Would any of you have difficulty treating an individual and a corporation equally?

28. Are any of you uncomfortable with accepting responsibility to determine who is telling the truth when testifying?

29. Do any of you believe that you would have trouble putting aside personal feelings of sympathy when rendering a verdict?

30. Have you, or anyone close to you, been terminated from employment?

a. If so, what was the reason?

31. Have you, or has anyone close to you, ever been out of work for a long period time?

a. What was the reason?

32. Would you find it easier to return a verdict against a corporate defendant than against an individual?

33. Do you have any feelings toward management or supervisory personnel that might prevent you from being fair and impartial in reviewing the evidence and deciding this case?

34. Are you aware of anything that might interfere with your ability to make a fair and just finding based solely upon the evidence and the law as the Court shall instruct you?

a. If so, please describe.

35. Would any of you have difficulty applying the law 100% to the facts of the case even if your personal opinion conflicts with the law and even if you believe the law is not right?

Respectfully submitted,

**UMASS MEMORIAL MEDICAL
GROUP, INC. and MAX ROSEN, M.D.**

By their attorneys,

/s/ Robert L. Kilroy

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Dated: November 21, 2022

CERTIFICATE OF SERVICE

I, Robert L. Kilroy, hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Robert L. Kilroy

Robert L. Kilroy

Dated: November 21, 2022